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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JAMES WHIPPLE,

Plaintiff,

ORDER

ORDER

C.E. UNTERBURG TOWBIN, INC., et al.,

Defendants.

It is hereby ORDERED that a settlement conference has been scheduled in the above-captioned action on TUESDAY, APRIL 1, 2008 at 10:00 AM, at which time you are directed to appear in Courtroom 17D, 500 Pearl Street, New York, New York 10007-1312. Any requests for adjournment of this scheduled conference must be in writing, with copies to all other parties, and must be preceded by reasonable efforts by the requesting party to obtain the consent of those parties.

DATED: New York, New York February 6, 2008

MICHAEL H. DOLINGER

UNITED STATES MAGISTRATE JUDGE:

SO ORDERED.

MICHAEL H. DOLINGER

UNITED STATES MAGISTRATE JUDGE

Copies of the foregoing Order have been sent this date to:

Stephen H. Kahn, Esq. Kahn Opton LLP 228 E. 45th St. New York, NY 10017

Christopher J. Collins, Esq. Kelley, Drye & Warren LLP 101 Park Avenue New York, NY 10178